

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL CARTER,

Plaintiff, CASE NO. 07-15379

V.

ANIL PRASAD and
SAVITHRI KAKANI,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT JUDGE

Respondent.

ORDER ACCEPTING AND ADOPTING THE REPORT AND RECOMMENDATION

On December 19, 2007, Plaintiff filed a motion for a temporary restraining order and for a preliminary injunction. Defendants filed a response on April 8, 2008. Magistrate Judge Scheer considered the matter and issued a Report and Recommendation on July 2, 2008. The Report and Recommendation recommends that Plaintiff's request for a temporary restraining order be denied. Neither party has filed any objections to the Report and Recommendation.

The Court’s standard of review for a magistrate judge’s Report and Recommendation depends upon whether a party files objections. If a party does not object to the Report and Recommendation, the Court does not need to conduct a review by any standard. *See Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (Gadola, J.). As the Supreme Court observed, “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Because neither party filed timely objections to Magistrate Judge Scheer’s Report and Recommendation, *see* 28 U.S.C. § 636(B)(1)(c); Fed. R.

Civ. P. 6(e), this Court need not conduct a review.

ACCORDINGLY, IT IS HEREBY ORDERED that the Report and Recommendation [docket entry #18] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Plaintiff's motion to for injunctive relief [docket entry #3] is **DENIED**.

SO ORDERED.

Dated: July 30, 2008

s/Sean F. Cox for
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on August 4, 2008, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Ronald W. Chapman; David B. Mammel, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: _____.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
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